



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING NOTICE:

BOARD OF DENTISTRY & DENTAL HYGIENE

DATE AND TIME:

Thursday, March 24, 2011 at 4:30 p.m.

PLACE:

861 Silver Lake Boulevard, Dover, Delaware
Conference Room A, second floor of the Cannon Building

APPROVED:

May 26, 2011

MEMBERS PRESENT

Neil McAneny, DDS, Professional Member, President
Blair Jones, DMD, Professional Member, Secretary
Thomas Cox, DDS, Professional Member
John Lenz, DDS, Professional Member
Robert Director, DDS, Professional Member
Joan Madden, RDH, Professional Hygiene Member
Nathaniel Gibbs, Public Member
Bonnie Thomas, RDH, Hygiene Advisory Member
Fay S. Rust, RDH, Hygiene Advisory Member
Debra Bruhl, RDH, Hygiene Advisory Member

MEMBERS ABSENT

Frances Pruitt, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Allison Reardon, Deputy Attorney General
Jennifer Childears, Administrative Specialist II

PUBLIC PRESENT

Vicki Korr-Pringle

CALL TO ORDER

Dr. McAneny called the meeting to order at 4:40 p.m.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the minutes of the February 24, 2011 Board meeting. Dr. Director made a motion, seconded by Dr. Lenz, to approve the minutes as presented. The motion passed unanimously.

HEARINGS

PUBLIC RULES AND REGULATIONS

The public rules and regulations hearing began at 4:48 with Ms. Reardon issuing an opening statement. The Board Members introduced themselves for the record. Dr. McAneny called for public comment. There was none. The Board went off the record at 4:54.

Ms. Reardon reviewed with the Board the purpose of the rules changes (changing the Board's name throughout, removing rules regarding acupuncture and creating a new rule detailing residency requirements). Ms. Reardon explained that once the Board order was signed, it would be forwarded to the Regulations Office and published in their May journal. The new rules would then become effective May 11, 2011.

Dr. Lenz voiced his opposition to the wording of new Rule 4.0. He feels that allowing three years of practice in another state but not allowing a 3 year residency was unbalanced. The Board agreed to allowing a four-year specialized CODA approved residency and a one-year general practice residency without review but any two- or three-year residency programs would require further documentation before approval. The Board does not require specific details of a dentist's practice of three years so there is no way to know if the dentist was working full-time or part-time during those three years whereas a three-year resident was fully involved.

The Board went back on the record at 5:03 pm. Dr. Director made a motion, seconded by Dr. Jones, to accept the rules as published and proposed. The motion passed by majority, with Dr. Lenz opposed and Mr. Gibbs abstaining.

PTD HEARING-VICKI KORR-PRINGLE

The hearing began at 5:12 pm. The Board introduced themselves for the record and Ms. Reardon provided an opening statement. Board Exhibits and Applicant Exhibits were entered and distributed. Ms. Korr-Pringle made an opening statement, followed by questions from the Board Members. The Board went off the record at 5:19 pm to deliberate.

Ms. Reardon read the timeline of events for the Board. The Board discussed if the submitted evidence provided the requested information to allow for an extension. There was discussion on the issue of CPR and if Ms. Korr-Pringle was physically capable of performing CPR in order to get her certification. There was also discussion of possible ways to accommodate her in a work setting should she be unable to perform CPR should the need arise. Ms. Reardon felt that was too far in the future to discuss as there was no evidence yet that Ms. Korr-Pringle could or could not perform CPR.

The Board went back on the record at 5:39 pm to ask Ms. Korr-Pringle additional questions. The Board discovered that Ms. Korr-Pringle has already obtained half of the required continuing education credits to continue and felt she could complete the rest as well as her CPR class within the next three months. The Board went off the record again at 5:41 pm. The Board discussed the amount of time to allow Ms. Korr-Pringle to complete her requirements and discussed the fact that after five years of non-practice, a licensee would be required to sit for the clinical exam again. Ms. Reardon summarized the options the Board had and with Ms. Reardon's guidance a motion was formulated. The Board went back on the record at 5:45 pm.

Ms. Bruhl made a motion, seconded by Ms. Rust, to propose the following:

1. Ms. Korr-Pringle will be given until June 16, 2011 to submit certificates of completion for 12 CEs and a CPR certificate;
2. These credits are for the 2008-2010 renewal cycle and cannot be used to fulfill the 2010-2012 renewal requirements;
3. Ms. Korr-Pringle will be audited for the 2010-2012 renewal period;
4. For the 2010-2012 renewal, Ms. Korr-Pringle will be required to show proof that she has worked within the last 5 years;
5. Ms. Korr-Pringle must report to the Board office when she begins working again;
6. If Ms. Korr-Pringle discovers she is unable to receive a CPR certification due to her physical limitations, she must report this to the Board as soon as possible.

The motion passed unanimously.

UNFINISHED BUSINESS

Validation of Dental DOR Examination

This was discussed at the Exam Committee meeting, which followed the Board meeting.

Validation of the Dental and Dental Hygiene Clinical Exams

Ms. Urbaniak was not in attendance to report on this topic. Dr. McAneny informed the Board that exam discs were sent to three schools and when the quotes come back, a decision will be made.

Teeth Whitening Services at Spas and Mall Kiosks

The Board reviewed a draft statement prepared by Ms. Reardon concerning the Board's position regarding this matter. Dr. Lenz made a motion, seconded by Ms. Bruhl, to approve the draft for publication on the website. The motion passed unanimously.

Pre-renewal Audit vs. Post-renewal Audit

Requirement of 2.0 CE Hours in Infection Control per Biennial Renewal Period

Ms. Madden made a motion, seconded by Dr. Lenz, to table these two topics until the May 2011 meeting. The motion passed unanimously.

CODA-Approved Specialty Rotations

Due to CODA's restriction on the use of its materials, the new Rules and Regulations were written using CODA copyright.

Inactive License Status in Other States

Ms. Rust discussed her findings on inactive status in other states. The Board agreed that Ms. Rust would forward her findings to the Board members via email for review. This matter will be discussed again in May 2011.

Re-review of Consent Agreement for Complaint 09-10-09

Ms. Reardon confirmed that this Consent Agreement, if accepted, will be reported to the National Practitioners Databank. Dr. Lenz made a motion, seconded by Ms. Rust, to accept the Consent Agreement. The motion passed unanimously. The Board signed the order and the Board office will mail copies to the appropriate parties.

Calibration Exam at DelTech for Dental Examiners

The Board discussed various ways of having each member review an "exam ready" patient at once to reveal any discrepancy issues. It was finally decided that the examining members of the Board will meet at Dr. Jones' office in May.

Administrative Assistance During Exams

The Board members would like to bring their own office personnel, as volunteers, to the exam to help with the recording of scores. This would help the exam go faster and would relieve the pressure if public Board members were unable to attend the exam on its given date. The Board members are bound by confidentiality but office personnel do not necessarily fall under those guidelines so Ms. Reardon will research the matter. Perhaps a confidentiality agreement could be signed by the volunteers. Ms. Reardon will report again in May 2011.

NEW BUSINESS

Ratification of Licenses/Permits Issued by DPR Since February Board Meeting:

Dentist License – Alan Son Nguyen

Dr. Jones made a motion, seconded by Dr. Director, to ratify the issuance of a Dentist license to Alan Son Nguyen. The motion passed unanimously.

Dental Hygienist License – Carol B. Jackson and Baongoc T. Huynh

Ms. Rust made a motion, seconded by Ms. Madden, to ratify the issuance of Dental Hygiene licenses to Carol B. Jackson and Baongoc T. Huynh. The motion passed unanimously.

Restricted Permit I - Zahra Ashrafi

Dr. Director made a motion, seconded by Dr. Lenz, to ratify the issuance of Restricted Permit I to Zahra Ashrafi. The motion passed unanimously.

Restricted Permit II

None

Unrestricted Permit

None

Request for Waiver of State Dental Hygiene Exam

Karen Scarangella submitted a request to the Board requesting approval of a Hygiene Refresher Course in lieu of taking the practical exam. Dr. Director made a motion, seconded by Ms. Rust, to deny Ms. Scarangella's request. The course doesn't demonstrate clinical competency; it is mainly didactic. It is excellent preparation for the exam but it is not a substitute for the exam. The motion passed unanimously.

COMPLAINT STATUS

Dr. McAneny reported the following complaint statuses:

Complaint 09-15-09 (McAneny)

Disciplinary Hearing Scheduled for 5/26/11 Meeting

Complaint 09-02-11 (Jones)

Assigned to Dr. Jones

CORRESPONDENCE

None

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Confirm Exam Attendance of Public Members

Mr. Gibbs stated he may be able to attend the exams. Board office staff will inform all the public members of the expected duties, dates and times of the upcoming exams.

Joint Sunset Committee Progress Report

Kay Warren requested an update for B3 for an April 15, 2011 deadline. Dr. McAneny stated this had been updated

House Bill 47

Dr. Director brought House Bill 47 to the attention of the Board. HB 47, if passed, would allow the Division of Public Health and the Division of Professional Regulation to inspect facilities for unsanitary conditions. Among the facilities named in the bill were Dental offices. The Board was concerned that since they are already under OSHA regulations if this bill wouldn't be an additional layer of regulations. James Collins, Division Director for DPR was available during the meeting and came in to discuss HB 47 with the Board. Mr. Collins discussed the history behind the creation of the bill and mentioned that having this law would help create stronger regulations outlining sanitary conditions. The Board thanked Mr. Collins for his input.

PUBLIC COMMENT

None

NEXT MEETING

The next Board meeting will be Thursday, May 26, 2011, at 4:30 p.m. in **Conference Room B**.

ADJOURNMENT

Dr. Jones made a motion, seconded by Dr. Lenz, to adjourn the meeting at 7:20 p.m. The motion to adjourn passed unanimously.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jennifer L Childears". The signature is written in a cursive, flowing style with a large initial "J".

Jennifer L Childears
Administrative Specialist II